

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**



In re Application of: Schneider et al.

Examiner: Nabila G. EBHRAIM

Serial No.: 10/630,375

Art Unit: 1618

Filing Date: 7/29/2003

For: Reconstitutable Formulation And Aqueous Suspension Of Gas-filled Microvesicles For Diagnostic Imaging

**Certificate of Mailing and/or Transmission Under 37 C.F.R. § 1.8(a)(1)(i)(A)(ii)**

I hereby certify that the following correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop: Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or being facsimile transmitted to the USPTO (571) \_\_\_\_\_, on the date indicated below:

Date: October 18, 2006

Signature: \_\_\_\_\_

*Pamela J. Gewirtz*  
Pamela J. Gewirtz

Mail Stop: Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST FOR CORRECTED FILING RECEIPT**

Sir:

An ***Updated Filing Receipt*** issued on December 15, 2003. An ***Assignment*** in the name of Bracco Research S.A., recorded under reel and frame numbers 014687/0414, issued on June 3, 2004. Recent comparison of the two documents and Applicants' Attorney's file revealed an error on the Updated Filing Receipt. The error on the Updated Filing Receipt is directed to inventor ***Yan FENG***.

The inventor was incorrectly identified on the executed Declaration as ***Yan FENG***. Thus, the Filing Receipt issued and reflected the same error. The Assignment correctly identifies the inventor as ***Feng YAN***.

As the error in the executed Declaration was a matter of the given and family names being inadvertently reversed, it is believed that the provisions of 37 CFR § 1.48 would not apply. In order to correct the error to the inventor's name so that the given name and family name are identified correctly, a representative from the Office of Initial Examination instructed Applicants' Attorney's paralegal to submit the following documents in order for a Corrected Filing Receipt to issue:

- 1) a drafted Declaration showing the correct format of the family and given names, i.e., a reversal of family name from given name;
- 2) a true copy of the originally executed Declaration;
- 3) a copy of the recorded Assignment which shows the correct format of inventor **Feng YAN**; and
- 4) a copy of the Updated Filing Receipt with changes noted therein

Applicants' attorney respectfully requests that the *Filing* Receipt for this application be corrected to identify –

-- inventor **Yan FENG**

as

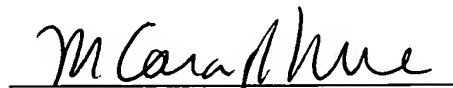
-- inventor **Feng YAN**.

Accordingly, Applicants' attorney respectfully requests the issuance of a Corrected Filing Receipt and that the PTO records be updated to reflect the correction(s) as indicated in this immediate letter and revised copy of the Filing Receipt.

No fees are believed to be due in the filing of this request. However, if any fees are deemed necessary, the Director is hereby authorized to charge such fees to Deposit Account No. 50-2168.

Respectfully submitted,

Dated: October 17 2006



M. Caragh Noone, Reg. No. 37,197

Bracco Research USA

305 College Road East  
Princeton, NJ 08540

Tel: (609) 514-2454

Fax: (609) 514-2446



### DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

This declaration is of the following type: (check one) ☒ utility; ☐ design;

☐ supplemental; ☐ national stage of PCT

I believe I am the original, first and sole inventor (*if only one name is listed below*) or an original, first and joint inventor (*if multiple names are listed below*) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

#### RECONSTITUTABLE FORMULATION AND AQUEOUS SUSPENSION OF GAS-FILLED MICROVESICLES FOR DIAGNOSTIC IMAGING

the specification of which: (check one) ☒ is attached hereto; ☐ was filed on \_\_\_\_\_ as Application Serial No. \_\_\_\_\_ and is/was amended on \_\_\_\_\_ (*if applicable*); ☐ was described and claimed in PCT International Application No. \_\_\_\_\_ filed on \_\_\_\_\_ as amended under PCT Article 19 on \_\_\_\_\_ (*if any*).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application as defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby identify below, and where indicated claim foreign priority benefits under Title 35, United States Code §§ 119(a)-(d) or §§ 365(a)-(b) of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America, filed within 12 months (6 months for design) prior to this application, and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) on which priority is claimed (*if any*):

Prior Foreign/PCT Application(s)			Priority claimed	
			<input type="checkbox"/>	<input type="checkbox"/>
(Number)	(Country)	Day/month/year filed	Yes	No
			<input type="checkbox"/>	<input type="checkbox"/>
(Number)	(Country)	Day/month/year filed	Yes	No
			<input type="checkbox"/>	<input type="checkbox"/>

(Number) (Country) Day/month/year filed Yes No

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below *(if any)*:

Provisional Application Number	Filing Date
--------------------------------	-------------

Provisional Application Number	Filing Date
--------------------------------	-------------

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT International Application designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.)	(Filing date)	(patent, pending, abandoned)
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(Application Serial No.)	(Filing date)	(patent, pending, abandoned)
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(Application Serial No.)	(Filing date)	(patent, pending, abandoned)
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

And I hereby appoint the following practitioner(s): **M. Caragh Noone, Reg. No. 37,197; Bryan M. Peckjian, Reg. No. P-54,370**, as my attorneys and/or agents with full powers of substitution and revocation, and to receive the patent and to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected therewith.

Kindly direct all correspondence regarding this application to the attorney at the following address:

M. Caragh Noone  
Bracco Research USA  
305 College Road East

Princeton, NJ 08540  
Phone: (609) 514-2454  
Fax: (609) 514-2446

Wherefore I pray that Letters Patent be granted to me for the invention or discovery described and claimed in the foregoing specification and claims, and I hereby subscribe my name to the foregoing specification and claims, declaration, power of attorney, and this petition.

Full name of first inventor: Michel Schneider

Inventor's signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence: Troinex, Switzerland

Citizenship: Switzerland

Post Office Address:

Full name of second inventor: Feng Yan

Inventor's signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence: Meyrin, Switzerland

Citizenship: Switzerland

Post Office Address:

Full name of Third inventor: Jean Brochot

Inventor's signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence: Fegères, France

Citizenship: France

Post Office Address:

(Check one) Sheets containing additional joint inventors ☒ are, ☐ are not attached hereto.

Full name of fourth inventor: David Lazurus

Inventor's signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence: Saint-Julien en Genevois, France

Citizenship: France

Post Office Address:



## DECLARATION AND POWER OF ATTORNEY

COPY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

This declaration is of the following type: (check one) ☒ utility; ☐ design;

☐ supplemental; ☐ national stage of PCT

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if multiple names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**RECONSTITUTABLE FORMULATION AND AQUEOUS SUSPENSION OF GAS-FILLED MICROVESICLES FOR DIAGNOSTIC IMAGING**

the specification of which: (check one) ☒ is attached hereto; ☐ was filed on \_\_\_\_\_ as Application Serial No. \_\_\_\_\_ and is/was amended on \_\_\_\_\_ (if applicable); ☐ was described and claimed in PCT International Application No. \_\_\_\_\_ filed on \_\_\_\_\_ as amended under PCT Article 19 on \_\_\_\_\_ (if any).

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Prior Foreign/PCT Application(s)			Priority claimed	
(Number)	(Country)	Day/month/year filed	<input type="checkbox"/> Yes	<input type="checkbox"/> No
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>

(Number) (Country) Day/month/year filed Yes No

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Provisional Application Number	Filing Date
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Provisional Application Number	Filing Date
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(Application Serial No.)	(Filing date) (patent, pending, abandoned)
(Application Serial No.)	(Filing date) (patent, pending, abandoned)
(Application Serial No.)	(Filing date) (patent, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

And I hereby appoint the following practitioner(s): **M. Caragh Noone, Reg. No. 37,197; Bryan M. Peckjian, Reg. No. P-54,370**, as my attorneys and/or agents with full powers of substitution and revocation, and to receive the patent and to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected therewith.

Kindly direct all correspondence regarding this application to the attorney at the following address:

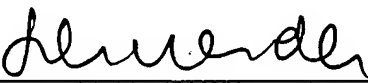
M. Caragh Noone  
Bracco Research USA  
305 College Road East



Princeton, NJ 08540  
Phone: (609) 514-2454  
Fax: (609) 514-2446

Wherefore I pray that Letters Patent be granted to me for the invention or discovery described and claimed in the foregoing specification and claims, and I hereby subscribe my name to the foregoing specification and claims, declaration, power of attorney, and this petition.

Full name of first inventor: Michel Schneider

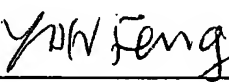
Inventor's signature:  Date: 8.9.2003

Residence: Troinex, Switzerland

Citizenship: Switzerland

Post Office Address: Route d'Annecy 34 – CH 1256 – Troinex / Switzerland

Full name of second inventor: Yan Feng


Inventor's signature:  Date: 4 September 2003

Residence: Grand-Lancy, Switzerland

Citizenship: France

Post Office Address: Chemin des Champs Gottreux 7 – CH 1216 Grand-Lancy / Switzerland

Full name of Third inventor: Jean Brochot

Inventor's signature:  Date: September 04, 2003


Residence: Feigères, France

Citizenship: France

Post Office Address: L'Agnellu – F 74160 Feigères / France

(Check one) Sheets containing additional joint inventors ☒ are, ☐ are not attached hereto.

Full name of fourth inventor: David Lazurus

Inventor's signature:  Date: 04.09.03

Residence: Saint-Julien-en-Genevois, France

Citizenship: France

Post Office Address: Rue Louis Martel 28 – F 74160 Saint-Julien-en-Genevois / France

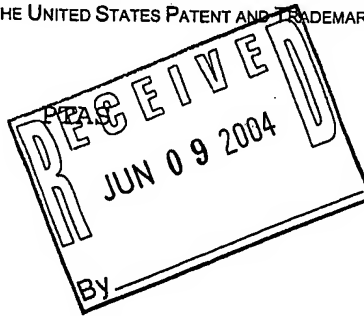


UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE.

JUNE 03, 2004

M. CARAGH NOONE  
305 COLLEGE ROAD EAST  
PRINCETON, NJ 08540



\*102601566A\*

**COPY**

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 11/12/2003

REEL/FRAME: 014687/0414  
NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:  
SCHNEIDER, MICHEL

DOC DATE: 09/08/2003

ASSIGNOR:  
YAN, FENG

DOC DATE: 09/08/2003

ASSIGNOR:  
BROCHOT, JEAN

DOC DATE: 09/08/2003

ASSIGNOR:  
LAZURUS, DAVID

DOC DATE: 09/08/2003

ASSIGNEE:  
BRACCO RESEARCH S.A.  
31 ROUTE DE LA GAISE  
, SWITZERLAND

SERIAL NUMBER: 10630375

FILING DATE: 07/29/2003

PATENT NUMBER:

ISSUE DATE:

TITLE: RECONSTITUTABLE FORMULATION AND AQUEOUS SUSPENSION OF GAS-FILLED  
MICROVESICLES FOR DIAGNOSTIC IMAGING

MARCUS KIRK, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

Form PTO-1595

(Rev. 10/02)

OMB No. 0651-0027 (exp. 6/30/2005)

Tab settings

11-17-2003



102601566

U.S. DEPARTMENT OF COMMERCE  
U.S. Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

## 1. Name of conveying party(ies):

Michel SCHNEIDER

Feng YAN

Jean BROCHOT

David LAZURUS

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

## 3. Nature of conveyance:



Assignment



Merger



Security Agreement



Change of Name



Other \_\_\_\_\_

Execution Date: 9/8/03

## 2. Name and address of receiving party(ies)

Name: Bracco Research S.A.

Internal Address: \_\_\_\_\_

Street Address: 31 route de la Gaise

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Additional name(s) & address(es) attached? ☐ Yes ☒ No

## 4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: \_\_\_\_\_

A. Patent Application No.(s) 10/630,375

B. Patent No.(s) \_\_\_\_\_

Additional numbers attached? ☐ Yes ☒ No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Name: M. Caragh Noone

Internal Address: \_\_\_\_\_

Street Address: 305 College Road East

City: Princeton State: NJ Zip: 08540

## 6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41).....\$ 40.00



Enclosed



Authorized to be charged to deposit account

## 8. Deposit account number:

50-2168

DO NOT USE THIS SPACE

## 9. Signature.

Bryan M. Peckjian/Reg. No. 54,370

Name of Person Signing

Signature

November 12, 2003

Date

Total number of pages including cover sheet, attachments, and documents: 7

11/14/2003 ECOOPER 00000047 502168

10630375

Mail documents to be recorded with required cover sheet information to:  
Commissioner of Patents & Trademarks, Box Assignments  
Washington, D.C. 20231

01 FC:8021

40.00 DE

ASSIGNMENT

WHEREAS, we, **Michel Schneider, Feng Yan, Jean Brochot, and David Lazurus**, have invented a certain improvement in **RECONSTITUTABLE FORMULATION AND AQUEOUS SUSPENSION OF GAS-FILLED MICROVESICLES FOR DIAGNOSTIC IMAGING** described in a U.S. Non-Provisional Patent Application, the specification of which:

[ ] is about to be filed in the United States Patent Office;

[X] was filed on **July 29, 2003** as Non-Provisional Application No. 10/630,374.

WHEREAS, **Bracco Research S.A.** (hereinafter "ASSIGNEE"), a corporation organized and existing under the laws of the **Country of Switzerland**, and having a usual place of business at **31, route de la Galaise, CH 1228 Plan-les-Ouates, Geneva, Switzerland** desires to acquire an interest therein in accordance with agreements duly entered into with us;

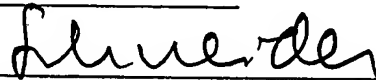
NOW, THEREFORE, to all whom it may concern be it known that for and in consideration of said agreements and of other good and valuable consideration, the receipt of which is hereby acknowledged, we have sold, assigned and transferred and by these presents do hereby sell, assign and transfer unto said ASSIGNEE, its successors, assigns and legal representatives, our entire right, title and interest in and throughout the United States of America, its territories and all foreign countries, in and to said invention as described in said Non-Provisional application, together with our entire right, title and interest in and to said Non-Provisional application and such Letters Patent as may issue on said invention; said invention, application and Letters Patent to be held and enjoyed by said ASSIGNEE for its own use and behalf and for its successors, assigns and legal representatives, to the full end of the term for which said Letters Patent may be granted as fully and entirely as the same would have been held by us had this assignment and sale not been made; we hereby convey all rights arising under or pursuant to any and all international agreements, treaties or laws relating to the protection of industrial property by filing any such applications for Letters Patent. We hereby acknowledge that this assignment, being of our entire right, title and interest in and to said invention, carries with it the right in ASSIGNEE to apply for and obtain from competent authorities in all countries of the world any and all Letters Patent by attorneys and agents of ASSIGNEE's selection and the right to procure the grant of all such Letters Patent to ASSIGNEE for its own name as assignee of the entire right, title and interest therein;

AND, we hereby further agree for ourselves and our executors and administrators to execute upon request any other lawful documents and likewise to perform any other lawful acts which may be deemed necessary to secure fully the aforesaid invention to said ASSIGNEE, its successors, assigns and legal representatives, but at its or their expense and charges, including the execution of applications for patents in foreign countries, and the execution of any nonprovisional applications including substitution, reissue,

divisional or continuation applications and preliminary or other statements and the giving of testimony in any interference or other proceeding in which said invention or any application or patent directed thereto may be involved;

AND, we do hereby authorize and request the Commissioner of Patents of the United States to issue such Letters Patent as shall be granted upon said invention to said ASSIGNEE, its successors, assigns, and legal representatives.

Date: 8.9.2003

Inventor:   
Michel Schneider

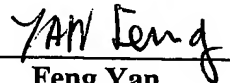
Country of France

In witness thereof  (signature)

PASCALE MOUNIÉ (print name)

Date: 8.09.2003

Date: 8 september 2003

Inventor:   
Feng Yan

Country of France

In witness thereof  (signature)

PASCALE MOUNIÉ (print name)

Date: 8.09.2003

Date: September, 8, 2003

Inventor: Jean Brochot  
Jean Brochot

Country of France

In witness thereof Pascale Mounie (signature)

PASCALE MOUNIE (print name)

Date: 8.09.2003

Date: 08.09.2003

Inventor: David Lazarus  
David Lazarus

Country of France

In witness thereof Pascale Mounie (signature)

PASCALE MOUNIE (print name)

Date: 8.09.2003





## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/630,375	07/29/2003	1616	1766	BR029-US-02	5	46	3

Bracco Research USA  
 305 College Road East  
 Princeton, NJ 08540



CONFIRMATION NO. 8951

## UPDATED FILING RECEIPT



\*OC000000011497003\*

Date Mailed: 12/15/2003

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Feng Yan Michel Schneider, Troinex, SWITZERLAND;  
 Yan-Feng, Grand-Lancy, SWITZERLAND;  
 Jean Brochot, Feigeres, FRANCE;  
 David Lazurus, Saint-Julien-en-Genevois, FRANCE;

Domestic Priority data as claimed by applicant

Foreign Applications

If Required, Foreign Filing License Granted: 10/23/2003

Projected Publication Date: 02/03/2005

Non-Publication Request: No

Early Publication Request: No

## Title

Reconstitutable formulation and aqueous suspension of gas-filled microvesicles for diagnostic imaging

Preliminary Class